

Applicant or Patentee: Akikuni YAGITA  
 Serial or Patent No.: 08/967,821  
 Filed or Issued: November 12, 1997  
 For: INTERLEUKIN-12 INDUCER AND MEDICAL COMPOSITION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled INTERLEUKIN-12 INDUCER AND MEDICAL COMPOSITION

described in

the specification filed herewith.  
 application serial no. 08/967,821, filed November 12, 1997  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization  
 persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention according to their status as small entities. (37 CFR 1.27).

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Akikuni YAGITA

Name of inventor

X Akikuni YAGITA

X April 7, 1998

Date \_\_\_\_\_

Name of inventor

Date \_\_\_\_\_

Signature of inventor

Name of inventor

# Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

## Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します、

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです、

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています、

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INTERLEUKIN-12 INDUCER AND MEDICAL

COMPOSITION

the specification of which is attached hereto unless the following box is checked:

\_\_\_\_月\_\_\_\_日に提出され、米国出願番号または特許協定  
条約

国際出願番号を \_\_\_\_\_ とし、

（該当する場合） \_\_\_\_\_ に訂正されました、

was filed on November 12, 1997  
as United States Application Number or  
PCT International Application Number

08/967,821 and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します、

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます、

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

# Japanese Language Declaration

## (日本語宣言書)

私は、米国法典第35編第119条(a)-(d)項又は第365条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約第365条(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Applications 外国での先行出願

Hei. 8-315498 (Number) (番号)	Japan (Country) (国名)
_____ (Number) (番号)	_____ (Country) (国名)
_____ (Number) (番号)	_____ (Country) (国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張致します。

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

私は、下記の米国法典第35編第120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約第365条(c)に基づく権利をここに主張します。又、本出願の各請求範囲の内容が米国法典第35編第112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内又は特許協力条約国出願提出日までの期間中に入手された、連邦規則法典第37編第1条第56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、私自身の知識に基づいて本宣言中で私が行う表明が真実であり、かつ私の入手した情報と私の信ずるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

November 11, 1996

(Day/Month/Year Filed)  
(出願年月日)



(Day/Month/Year Filed)  
(出願年月日)



(Day/Month/Year Filed)  
(出願年月日)



I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit of Title 35, United States Code Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose any material information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
---

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
---

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# Japanese Language Declaration

(日本語宣言書)

委任状：私は、下記の発明者として、本出願に関する一切の手続きを米国特許商標局に対して遂行する弁理士又は代理人として、下記のものを指名致します。(弁護士、又は代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102 and Brett S. Sylvester, Reg. No. 32,765

書類送付先：

Send Correspondence to:

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202

直通電話連絡先：(名称及び電話番号)

Direct Telephone Calls to: (name and telephone number)

(202)293-7060

唯一又は第一発明者名	Full name of sole or first inventor Akikuni YAGITA		
発明者の署名	日付	Inventor's signature AKIKUNI YAGITA	Date April 17, 1998
住所	Residence 1-21, Osawa 1-chome, Mitaka-shi, Tokyo 181 Japan		
国籍	Citizenship Japanese		
郵便の宛先	Post office address 1-21, Osawa 1-chome, Mitaka-shi, Tokyo 181 JAPAN		
第二共同発明者名(該当する場合)	Full name of second joint inventor, if any		
第二発明者の署名	日付	Second inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post office address		

(第三以降の共同発明者についても同様に記載し、署名をすること。) (Supply similar information and signature for third and subsequent joint inventors.)